

## Message Text

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SUBJECT: U.S.-ISRAEL AGRICULTURAL R AND D FUND (ARD)

REF: TEL AVIV 1156

1. IN RESPONSE TO FINAL PARA REFTEL, FOLLOWING IS TEXT OF  
PROPOSED APPENDIX TO THE ARD AGREEMENT ENTITLED QUOTE  
MANAGEMENT SYSTEMS AND OPERATIONAL PROCEDURES UNQUOTE WHICH  
WAS TENTATIVELY AGREED UPON FEB. 1 AT MEETING OF USDA,  
TREASURY, AND STATE REPRESENTATIVES AND PROF. VAADIA, CHIEF  
SCIENTIST, ISRAELI MINAG. OTHER INFORMATION CONCERNING  
STARTUP OF ARD DERIVED FROM MEETING WILL BE SUPPLIED IN  
SEPTTEL.

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2. BEGIN TEXT:

INTRODUCTION

AN AGREEMENT WAS SIGNED BETWEEN THE GOVERNMENT OF THE  
UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE STATE OF  
ISRAEL FOR THE ESTABLISHMENT OF U.S.-ISRAEL FUND FOR AGRI-  
CULTURAL RESEARCH AND DEVELOPMENT.

THE AIMS AND FIELDS OF ACTIVITY OF THE FUND AS DEFINED IN

THE AGREEMENT ARE AS FOLLOWS:

QUOTE TO ENCOURAGE AND SUPPORT AGRICULTURAL RESEARCH AND DEVELOPMENT OF MUTUAL BENEFIT, PARTICULARLY FOR GEOGRAPHICAL AREAS IN WHICH WATER SUPPLY AND RAINFALL LIMIT CROP PRODUCTION; UNQUOTE (AGREEMENT P. 1).

THE GENERAL PRINCIPLES ACCORDING TO WHICH THE FUND IS TO BE ESTABLISHED WERE DECIDED UPON IN THE AGREEMENT. HOWEVER, A DETAILED MANAGEMENT SYSTEM AND OPERATIONAL FUNCTIONS AND PROCEDURES WERE LEFT TO BE AGREED UPON LATER BY THE MINISTERIES OF AGRICULTURE OF THE TWO COUNTRIES. THIS WAS STATED IN THE AGREEMENT IN THE FOLLOWING WAY:

QUOTE THE FUND SHALL BE AN INDEPENDENT, BINATIONAL ENTITY AND SHALL POSSESS ALL OF THE POWERS NECESSARY TO CARRY OUT ITS OBJECTIVES. UNQUOTE. (AGREEMENT P. 4)

QUOTE A MANAGEMENT SYSTEM, TO BE SUBSEQUENTLY DEVELOPED AND MUTUALLY AGREED TO, WILL ESTABLISH THE FUND'S PROGRAM AND PRIORITIES AND ITS FINANCIAL AND MANAGERIAL POLICIES. SUCH SYSTEM WILL PROVIDE EQUAL MANAGEMENT RESPONSIBILITY AND AUTHORITY TO BOTH GOVERNMENTS. UNQUOTE (AGREEMENT UNCLASSIFIED

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P. 6).

QUOTE DETAILED OPERATIONAL FUNCTIONS AND RESPONSIBILITIES OF THE FUND SHALL BE SUBSEQUENTLY DEVELOPED AND MUTUALLY AGREED TO BY THE SECRETARY OF AGRICULTURE, UNITED STATES OF AMERICA AND THE MINISTER OF AGRICULTURE AND MINISTER OF FINANCE, ISRAEL. IF A PRINCIPAL OFFICE OF THE FUND IS ESTABLISHED, IT SHALL BE LOCATED IN ISRAEL. UNQUOTE. (AGREEMENT P. 8)

APPLICATIONS FOR GRANTS AND LOANS SHALL BE ACCEPTED FROM ENTITIES, WHETHER GOVERNMENTAL, NON-PROFIT OR OTHER, PROVIDED THE APPLICANTS HAVE THE NEEDED R AND D CAPABILITIES, FINANCIAL RESPONSIBILITY, AND THEIR PROPOSALS MEET THE OBJECTIVES AND CRITERIA OF THE FUND.

PROJECT PROPOSALS WILL, FOR THE MOST PART, BE DEVELOPED AND SUBMITTED JOINTLY BY ISRAELI AND U.S. SCIENTISTS. THE FUND WILL ASSIST APPLICANTS WHO SUBMIT PROPOSALS SINGLY TO IDENTIFY COLLABORATORS IN THE OTHER COUNTRY. THE PROPOSALS MAY BE LARGE OR SMALL; THEY MAY BE UNI- OR INTER-DISCIPLINARY IN NATURE; AND THEY MAY COVER ANY OR ALL R AND D PHASES: INITIAL FEASIBILITY (PRE-RESEARCH AND PRE-DEVELOPMENT), RESEARCH, AND DEVELOPMENT.

IN ESTABLISHING THE OPERATIONAL PROCEDURES FOR DEVELOPING THE R AND D PROGRAM AND IN ORDER TO AVOID DUPLICATION AND

UNNECESSARY EXPENDITURES, MAXIMUM USE IN BOTH COUNTRIES SHOULD BE MADE OF ANY EXISTING BODIES OR MECHANISMS HAVING THE NEEDED CAPABILITIES.

EXTENSION TO ARTICLE V OF THE AGREEMENT:

BOARD OF DIRECTORS

A. A BOARD OF DIRECTORS, HEREINAFTER REFERRED TO AS UNCLASSIFIED

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THE QUOTE BOARD UNQUOTE, SHALL BE THE GOVERNING BODY OF THE FUND AND SHALL BE RESPONSIBLE FOR THE FUND'S PROGRAM AND ITS FINANCIAL AND MANAGERIAL POLICIES. SUBJECT TO THE PROVISIONS OF THIS AGREEMENT, THE BOARD SHALL:

- (1) ADOPT RULES OF PROCEDURES;
  - (2) ESTABLISH THE ORGANIZATIONAL FRAMEWORK OF THE FUND;
  - (3) APPOINT AN ISRAELI AS THE EXECUTIVE DIRECTOR AND ESTABLISH HIS DUTIES, COMPENSATION, AND PERQUISITE;
  - (4) APPROVE THE RESEARCH PROGRAM, THE ANNUAL BUDGET, AND THE FINANCIAL STATEMENTS OF THE FUND;
  - (5) ACCEPT CONTRIBUTIONS OF PROPERTY, FUNDS AND SERVICES;
  - (6) ESTABLISH THE PRINCIPAL OFFICE OF THE FUND;
  - (7) APPROVE INDIVIDUAL PROJECT GRANTS AND LOANS AND OTHER EXPENDITURES BY THE FUND, AND APPROVE AGREEMENTS PERTAINING TO PROJECTS TO BE SUPPORTED BY THE FUND;
  - (8) DECIDE WHETHER AND TO WHAT EXTENT THE FUND SHALL REQUIRE, IN AGREEMENTS WHICH PROVIDE A GRANT OR LOAN, PROVISIONS REQUIRING THAT PATENT AND LICENSING RIGHTS TO INVENTIONS RESULTING FROM SUCH GRANTS OR LOANS SHALL BE ESTABLISHED OR ASSIGNED FOR THE BENEFIT OF (A) THE GOVERNMENTS OF ISRAEL AND THE UNITED STATES, (B) THE FUND, OR (C) THE RECIPIENT OF ANY FUND GRANT OR LOAN, PROVIDED THAT THE FUND WILL SEEK TO RETAIN MAXIMUM PATENT AND LICENSING RIGHTS TO INVENTIONS RESULTING FROM ITS GRANTS OR LOANS
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TO PRIVATE, COMMERCIAL ENTITIES; AND

- (9) EXERCISE AND DELEGATE ANY OTHER POWER OF THE FUND NOT OTHERWISE SPECIFICALLY ASSIGNED BY THIS APPENDIX.

B. THE BOARD SHALL CONSIST OF SIX MEMBERS: THREE REPRESENTATIVES OF THE UNITED STATES AND THREE REPRESENTATIVES OF ISRAEL. THESE MEMBERS SHALL BE DESIGNATED BY THE RESPECTIVE GOVERNMENTS IMMEDIATELY AFTER THIS AGREEMENT BECOMES EFFECTIVE AND WHEN ANY VACANCY OCCURS. THE RESPECTIVE GOVERNMENTS MAY FROM TIME TO TIME DESIGNATE DIFFERENT REPRESENTATIVES TO THE BOARD. THE U.S. MEMBERSHIP SHALL REPRESENT: (1) OFFICE OF THE SECRETARY, USDA, (2) SCIENCE AND EDUCATION ADMINISTRATION (SEA), USDA, AND (3) NATIONAL ASSOCIATION OF STATE UNIVERSITIES AND LAND GRANT COLLEGES (NASULGC). THE ISRAELI MEMBERSHIP SHALL REPRESENT: (1) OFFICE OF THE MIN. OF FINANCE, (2) OFFICE OF THE MINISTER OF AGRICULTURE, AND (3) THE CHIEF SCIENTIST'S OFFICE OF THE MINISTRY OF AGRICULTURE.

C. THE CHAIRMAN OF THE BOARD SHALL BE APPOINTED FROM AMONG THE MEMBERS OF THE BOARD. THE CHAIRMANSHIP WILL ALTERNATE BETWEEN U.S. AND ISRAELI MEMBERS OF THE BOARD ANNUALLY.

D. MEETINGS OF THE BOARD MAY BE HELD AT SUCH TIME AND FREQUENCY AS THE CHAIRMAN MAY DETERMINE, BUT THE BOARD SHALL MEET AT LEAST ONCE EACH YEAR.

E. THE BOARD SHALL ACT BY VOTE OF AT LEAST FOUR MEMBERS. MEMBERS OF THE BOARD MAY VOTE BY PROXY.

F. MEMBERS OF THE BOARD SHALL SERVE WITHOUT COMPENSATION FROM THE FUND, BUT THE BOARD MAY AUTHORIZE THE PAYMENT BY THE FUND OF THE NECESSARY EXPENSES OF ANY MEMBERS IN ATTENDING BOARD MEETINGS AND IN PERFORMING OTHER  
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OFFICIAL DUTIES FOR THE FUND.

G. THE BOARD SHALL PROVIDE FOR ANNUAL AUDITS BY INDEPENDENT AUDITORS OF THE ACCOUNTS OF THE FUND. THE REPORTS OF SUCH AUDITS, WHICH SHALL BE SUBMITTED TO BOTH GOVERNMENTS, SHALL CONTAIN CERTIFICATION OF THE ACCOUNTS OF THE FUND AND SHALL, AS APPROPRIATE, EVALUATE THE FUND'S INTERNAL CONTROL AND AUDITING SYSTEMS.

H. THE BOARD MAY APPOINT SPECIAL COMMITTEES TO ASSIST IN ITS FUNCTIONS AS NEEDED.

EXECUTIVE DIRECTOR

A. THE EXECUTIVE DIRECTOR SHALL BE THE CHIEF EXECUTIVE AND ADMINISTRATIVE OFFICER OF THE FUND. HE SHALL BE RESPONSIBLE FOR THE ADMINISTRATION, OPERATIONS AND STAFF OF THE FUND AND SHALL ACT TO CARRY OUT DIRECTIVES AND

DELEGATIONS OF THE BOARD IN ACCORDANCE WITH THE FUND'S POLICIES.

B. THE OFFICE OF THE EXECUTIVE DIRECTOR SHALL BE IN ISRAEL.

C. THE EXECUTIVE DIRECTOR SHALL EMPLOY, OVERSEE AND DISMISS MEMBERS OF THE PROFESSIONAL AND ADMINISTRATIVE STAFF OF THE FUND SUBJECT TO REVIEW BY THE BOARD.

D. THE EXECUTIVE DIRECTOR SHALL, AMONG OTHER THINGS:

(1) REFER PROPOSALS SUBMITTED TO THE FUND TO THE APPROPRIATE REVIEW COMMITTEES;

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(2) BASED ON RECOMMENDATIONS OF THE REVIEW COMMITTEES, PREPARE AND SUBMIT TO THE BOARD FOR ITS CONSIDERATION THE ANNUAL RESEARCH AND DEVELOPMENT PROGRAM, THE ANNUAL BUDGET, AND LONG-RANGE PLANS FOR UTILIZATION OF THE FUND'S RESOURCES;

(3) PREPARE AND SUBMIT RECOMMENDATIONS AND DRAFT AGREEMENTS CONCERNING PROJECT PROPOSALS TO THE BOARD FOR ITS APPROVAL, SUBJECT TO THE PROCEDURES TO BE ESTABLISHED AND APPROVED BY THE BOARD;

(4) CARRY OUT PERIODICAL MONITORING AND CONTROL OF THE PROGRESS IN RESEARCH AND DEVELOPMENT PROJECTS;

(5) PREPARE AND SUBMIT TO THE BOARD FOR ITS APPROVAL AN ANNUAL REPORT, INCLUDING AN AUDITED FINANCIAL STATEMENT, ON THE ACTIVITIES OF THE FUND;

(6) APPROVE FEASIBILITY STUDIES ACCORDING TO PROCEDURES AND CRITERIA TO BE ESTABLISHED BY THE BOARD; AND

(7) IMPLEMENT THE DECISIONS OF THE BOARD.

E. THE EXECUTIVE DIRECTOR, FOLLOWING THE BOARD'S RECOMMENDATIONS, SHALL INITIATIVE AND PROMOTE, IN THE SPIRIT AND WITHIN THE OBJECTIVES OF THE FUND, INTERDISCIPLINARY AND INTEGRATED PROJECTS AND SHALL RECOMMEND

APPROPRIATE OPERATIONAL AND ORGANIZATIONAL STRUCTURES FOR THEM.

F. ANY POWER OF THE EXECUTIVE DIRECTOR PROVIDED BY THIS AGREEMENT OR DELEGATED BY THE BOARD MAY BE DELEGATED BY HIM TO OTHER OFFICERS OF THE FUND EXCEPT AS OTHERWISE PROVIDED BY THE BOARD.

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G. THE EXECUTIVE DIRECTOR, AFTER CONSULTATION WITH AND APPROVAL BY THE BOARD, WILL APPOINT A TECHNICAL ADVISORY COMMITTEE COMPOSED OF AN EQUAL NUMBER OF LEADING EXPERTS FROM EACH COUNTRY. THE COMMITTEE WILL RECOMMEND TO THE EXECUTIVE DIRECTOR THE OVERALL ORDER OF PRIORITIES FOR ALL PROPOSALS WHICH PASS THE SCIENTIFIC AND BENEFIT EVALUATION PROCEDURES AFTER EACH PROPOSAL HAS BEEN RANKED IN ITS RESPECTIVE DISCIPLINE OR FIELD. THE SIZE AND COMPOSITION OF THE TECHNICAL ADVISORY COMMITTEE AND THE DURATION OF THE APPOINTMENT ARE SUBJECT TO ANNUAL REVIEW BY THE BOARD.

H. SUBJECT TO THE TECHNICAL ADVISORY COMMITTEE REVIEW, THE EXECUTIVE DIRECTOR MAY ORGANIZE VARIOUS ACTIVITIES, SUCH AS CONSULTANT VISITS, INFORMATION EXCHANGE, AND SIMILAR ACTIVITIES, IN ORDER TO FACILITATE THE ACHIEVEMENT OF THE FUND'S OBJECTIVES, PROVIDED THESE ACTIVITIES ARE APPROVED BY THE BOARD.

I. THE EXECUTIVE DIRECTOR SHALL MAINTAIN AN APPROPRIATE SYSTEM OF INTERNAL CONTROLS, INCLUDING BOOKS AND RECORDS, WHICH WILL COVER ALL OF THE TRANSACTIONS OF THE FUND AND ACCURATELY REFLECT THE CURRENT FINANCIAL CONDITION OF THE FUND. SUCH A SYSTEM SHALL INCLUDE ADEQUATE INTERNAL FINANCIAL AND OPERATIONS AUDITS. THE FUND'S BOOKS, RECORDS, AND INTERNAL AUDIT REPORTS SHALL BE AVAILABLE FOR REVIEW BY AUTHORIZED REPRESENTATIVES OF BOTH GOVERNMENTS.

J. THE EXECUTIVE DIRECTOR SHALL MAKE AVAILABLE TO THE AGRICULTURAL ATTACHES OF BOTH COUNTRIES AND AUTHORIZED REPRESENTATIVES OF THE UNITED STATES SECRETARY OF AGRICULTURE AND THE ISRAEL MINISTER OF AGRICULTURE INFORMATION CONCERNING ALL PROJECTS SUPPORTED BY THE FUND.

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#### EXTENSION TO ARTICLE VII

#### OPERATIONS

A. THE FUND'S OPERATIONS SHALL CONSIST MAINLY OF THE SELECTION, APPROVAL AND MONITORING OF PROJECTS SUPPORTED

IN WHOLE OR IN PART BY THE FUND. THE FUND SHALL MINIMIZE ITS ANNUAL OPERATIONAL COSTS IN ORDER TO PERMIT THE MAXIMUM UTILIZATION OF ITS RESOURCES TO SUPPORT AGRICULTURAL RESEARCH AND DEVELOPMENT, AND WILL DO SO BY USING EFFECTIVELY THE EXISTING MECHANISMS OF THE UNITED STATES DEPARTMENT

OF AGRICULTURE AND THE ISRAEL MINISTRY OF AGRICULTURE.

B. ALL PROPOSALS SHALL BE SUBMITTED TO THE EXECUTIVE DIRECTOR'S OFFICE.

C. ALL PROPOSALS FOR R AND D PROJECTS AND FEASIBILITY STUDIES ARE TO BE JUDGED AND EVALUATED ACCORDING TO THE FOLLOWING PROCEDURE:

(1) ALL PROPOSALS SHALL BE EXAMINED IN EACH COUNTRY BY TECHNICAL REVIEW COMMITTEES IN APPROPRIATE DISCIPLINES ESTABLISHED UNDER PROCEDURES THAT ARE ACCEPTABLE TO AND COMPATIBLE WITH THE MINISTRY OF AGRICULTURE OF ISRAEL AND THE USDA.

(2) ALL THE PROPOSALS THAT PASS THE TECHNICAL REVIEW COMMITTEES SHALL BE EXAMINED AND RANKED BY THE U.S. DEPARTMENT OF AGRICULTURE FOR COMPATIBILITY WITH U.S. OBJECTIVES.

(3) ALL THE PROPOSALS THAT ARE FOUND TO BE SUITED TO THE U.S. OBJECTIVES WILL THEN BE EVALUATED, IN ISRAEL, BY BENEFIT REVIEW COMMITTEES (BY DISCIPLINE OR FIELD) AND RANKED, TAKING INTO ACCOUNT (A) THEIR POTENTIAL BENEFIT AND CONTRIBUTION TO ISRAEL, AND (B) THEIR BENEFIT/OUTLAY RATIO.  
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(4) ALL RESEARCH AND DEVELOPMENT PROJECT PROPOSALS THAT PASS THE FOREGOING EXAMINATION PROCESSES SHALL BE SUBMITTED BY THE EXECUTIVE DIRECTOR TO THE TECHNICAL ADVISORY COMMITTEE FOR FINAL, OVERALL RANKING.

(5) A PROPOSAL THAT IS CLASSIFIED BY A TECHNICAL REVIEW COMMITTEE IN EITHER COUNTRY AS A FEASIBILITY STUDY (PRE-RESEARCH OR PRE-DEVELOPMENT) MAY BE FINANCED BY THE FUND BY A MODEST BUDGET (CA. 4,000 OR 5,000 DOLLARS). THE DECISION TO SUPPORT SUCH A STUDY MAY BE TAKEN BY THE EXECUTIVE DIRECTOR SEPARATELY FROM THE OVERALL RANKING OF PROPOSALS, BUT WITHIN A SPECIFIED BUDGET FRAMEWORK APPROVED BY THE BOARD. AT THE END OF ONE YEAR, A FEASIBILITY STUDY WILL RESULT IN ONE OF THE FOLLOWING:

(A) A RESEARCH AND DEVELOPMENT PROJECT PROPOSAL;

(B) EVIDENCE FOR NON-PRODUCTIVITY OF THE IDEA; OR

(C) A PROPOSAL FOR CONTINUING THE STUDY FOR A MAXIMUM PERIOD OF ONE ADDITIONAL YEAR.

(6) PART OF THE ANNUAL BUDGET OF THE FUND, TO BE DETERMINED BY THE BOARD, MAY BE DEVOTED TO PROJECTS CONCERNED WITH EXPLORATORY STUDIES OF PROMISING NEW RESEARCH IDEAS. EVALUATION OF SUCH PROJECTS SHALL BE DONE DIRECTLY BY THE

TECHNICAL ADVISORY COMMITTEE.

D. GUIDED BY THE FINAL OVERALL PROJECT RANKINGS OF  
THE TECHNICAL ADVISORY COMMITTEE, THE EXECUTIVE DIRECTOR  
SHALL PRESENT TO THE BOARD FOR REVIEW AND APPROVAL:

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(1) A PROPOSED ANNUAL PROGRAM CONSISTING OF PROPOSALS  
OF HIGHEST PRIORITY WITHIN THE YEARLY BUDGET ALLOCATION;  
AND

(2) A LIST OF ALL OTHER PROJECT PROPOSALS APPROVED BY  
THE TECHNICAL ADVISORY COMMITTEE.

E. THE FUND SHALL SUPPORT RESEARCH AND DEVELOPMENT  
PROJECTS GENERALLY FOR A PERIOD OF UP TO THREE YEARS.  
EXTENSIONS WILL REQUIRE APPROVAL OF THE TECHNICAL ADVISORY  
COMMITTEE. EACH PROJECT LEADER SHALL SUBMIT A PROGRESS  
REPORT ANNUALLY FOR THE EXECUTIVE DIRECTOR'S REVIEW.  
CONTINUED FUNDING OF PROJECTS THAT DO NOT SHOW ADEQUATE  
PROGRESS MAY BE WITHHELD. END TEXT. VANCE

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